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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JAMES H. FISHER,

11 Plaintiff,

No. CIV S-05-0540 MCE EFB P

12 vs.

13 N. DIZON, et al.,

ORDER

14 Defendants.
15 _____/

16 Plaintiff is a prisoner without counsel suing for alleged civil rights violations. *See* 42
17 U.S.C. § 1983. On September 21, 2007, the court found that plaintiff had failed to file an
18 opposition to defendants' motion for summary judgment and recommended that this action be
19 dismissed. On October 10, 2007, plaintiff requested additional time to file an opposition. The
20 court granted that request and on December 26, 2007, plaintiff filed an opposition to defendants'
21 motion for summary judgment. The matter now stands submitted for decision.

22 Accordingly, it is ORDERED that the September 21, 2007, findings and
23 recommendations are vacated.

24 Dated: January 30, 2008.

25 
26 EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE